

CP
FILED

JUL 5 - 2017

UNITED STATES BANKRUPTCY COURT
SAN FRANCISCO, CA

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re:) Case No.12-33356 DM
Alezz Laielen - Pro Per) Chapter 13
Debtor.) **FIFTH AMENDED WITH NEW REQUESTS**
) MOTION TO MODIFY CHAPTER 13
) PLAN; EXHIBIT "A"; NOTICE OF
) OPPORTUNITY FOR HEARING;
) DECLARATION IN SUPPORT; AND
) CERTIFICATE OF SERVICE
)
)
)

PLEASE TAKE NOTICE that Debtor hereby moves for an order authorizing modification of the confirmed Chapter 13 Plan based on the declaration by Debtor incorporated hereto. The proposed modified Plan is attached as Exhibit "A".

NOTICE IS HEREBY GIVEN, pursuant to FRBP 3007 as modified by Local Rule 9014-1: 1) that any objection to the requested relief, or a request for hearing on the matter must be filed and served on the requesting party within twenty-one (21) days of mailing of the notice; 2) that a request for hearing or objection must be accompanied by any declarations or memoranda of law the party objecting or requesting wishes to present in support of its position; 3) that if there is not a timely objection to the requested relief or a request for hearing, the

MOTION TO MODIFY CHAPTER 13 PLAN

01/16/14

1 Court may enter an order granting the relief by default; and 4)
2 that the initiating party will give at least seven (7) days
3 written notice of hearing to the objecting or requesting party,
4 and to any trustee or committee appointed in the case, in the
5 event an objection or request for hearing is timely made.

7 MOTION

8 Debtor hereby moves for an order authorizing a modification
9 of the confirmed Chapter 13 based upon a change in
10 circumstances. 11 U.S.C. § 1329(a). This motion is supported
11 by facts and reasons set forth in Debtor's declaration.

12 The proposed modified Plan is embodied in the attached
13 Exhibit "A". If confirmed, the modified Plan will complete
14 within 60 months from the commencement of the case. The
15 modified Plan complies with Sections 1322(a)&(b) and Section
16 1325(a). 11 U.S.C. §§ 1322, 1325.

20 Dated: July 5, 2017.
21 JUNE 29, 2017

Alezz Laielen Alezz Laielen
Pro Per - Debtor

UNITED STATES BANKRUPTCY COURT -
NORTHERN DIVISION OF CALIFORNIA

EXHIBIT "A"

In re: Alezz Laielen

) Case No.:12-33356-DM

) **FIFTH AMENDED WITH NEW REQUESTS**

) APPLICATION TO MODIFY CHAPTER 13 PLAN

)

Debtor(s)

)

The Debtor{s} respectfully requests the Court modify debtor{s} Chapter 13 Plan as follows:

- ___ 1. With respect to the monthly step up payment of \$ 3,080 that payment shall be:
___ X ___ Suspend all delinquent payments through March of 2017
___ Increased to \$ _____;
___ X ___ Decreased to \$ 250 with payment beginning April 20, 2017; All else owed will be covered
by sale of the home;
___ Other:

- ___ 2. The secured claims shall be modified as follows:
___ The secured claims of the following creditors shall be added as follows:

CREDITOR'S NAME	COLLATERAL VALUE	PMT/MONTH (if fixed)	INT RATE (if applicable)
--------------------	---------------------	-------------------------	-----------------------------

___ The treatment of certain secured creditor(s) shall be modified as follows:

CREDITOR'S NAME	COLLATERAL VALUE	PMT/MONTH (if fixed)	INT RATE (if applicable)	STATUS (e.g., unsec)
--------------------	---------------------	-------------------------	-----------------------------	-------------------------

- ___ 3. Change the estimated percentage paid to UNSECURED creditor(s) from ___ % to ___ % on
the confirmed Base Plan.
- ___ 4. Base Plan Changes:
___ Plan Base amount increased/decreased to \$ _____.
___ Plan term increased/decreased to _____ months.
- ___ 5. Other modifications:

X_ 6. Reason for the requested modification: Failed at securing work that would enable me to meet the step up amount. Not yet acquire investors to fund my humanitarian health project that I wrote up on a legalzoom.com document that would enable me to pay myself a salary and make required payments. An investment I've communicated with Wells Fargo about has not yet paid off. As of 12/16, with \$25,580 owing, at the court's suggestion I began requesting that I be allowed me to sell my home to pay what is owed. Due to medical issues with possible surgery & recovery time I am requesting the deadline for the sale be extended to November 29, 2017. I also request a continuance of court date from 7/19 to 8/16.

- ___ 7. The Chapter 13 Plan, as modified, would be completed within (60) months from commencement of the case. The debtor(s) respectfully requests the court enter an order granting the requested modifications as set forth.

July 5, 2017

Dated: ~~June 29~~, 2017 Alezz Laielen *Alezz Laielen* Pro Per – Applicant/Debtor

DECLARATION

I declare under the penalty of perjury that the information listed below is true and correct:

1. I am the Debtor in the above-captioned case.

2. My Chapter 13 case was filed on 11/29/12.

3. My Chapter 13 Plan was confirmed on 02/22/2013.

4. I am requesting an order authorizing a modification to my confirmed Chapter 13 Plan for the following reasons:

Following the tragic death of my friend and client, I have so far failed at securing similar work that would enable me to meet the step up amount and have not yet acquired investors to fund my humanitarian health project that I wrote up in a legalzoom.com document that will enable me to pay myself a salary and make required payments. Years of attempting to recover from chronic ill health and then the mortgage fiasco drove me into bankruptcy. My project is designed to save millions of lives and billions of dollars lost due to individuals developing and suffering with chronic, degenerative diseases that threaten to bankrupt our country that the Center for Disease Control says can be prevented - and I know can be healed. My project can also help counter unhealthy Trumpism. The investment I'd communicated with the CEO of Wells Fargo about has not yet paid off. At the suggestion of the court I am requesting that I be allowed to sell my home to pay what is owed. **2016 tax return WAS sent to BK Trustee's P.O. Box.**

Dated: July 5, 2017
JUNE 29, 2017

Alezz Laielen
Alezz Laielen - Pro Per/Debtor

CERTIFICATE OF SERVICE

I am not less than 18 years of age and not a party to the within case. My business address is:

I served this MOTION TO MODIFY CHAPTER 13 PLAN; EXHIBIT "A"; NOTICE OF OPPORTUNITY FOR HEARING by first-class United States Mail, postage pre-paid, at San Rafael Main Post Office, California, on the date noted below and addressed to those listed below. If entitled to notice, the Chapter 13 Trustee will receive such notice upon the electronic filing of this document. I declare, under penalty of perjury, that the foregoing is true and correct.

Dated: July 5, 2017
~~June 29, 2017~~

Alezz Laielen
Alezz Laielen - Pro Per

Bank of America N.A P.O. Box 15047, Wilmington, DE 19850-5047
Chase Card Services, P.O. Box 15298, Wilmington, DE 19850
Citicards Customer Service, Box 6500, Sioux Falls, SD 57117
Fay Servicing, LLC BK Dept., 939 W. North Ave. Suite 680,
Chicago, Illinois 60642
Franchise Tax Board, P.O. Box 942840, Sacramento, CA 94240-0009
IRS, P.O. Box 7346, Philadelphia, PA 19101-7346
Jonathan C. Cahill, Aldridge, Pite, LLP, 4375 Jutland Drive
Suite 200; PO Box 17933, San Diego, CA 92177-0733
Zwicker & Assoc., P C, 80 Minuteman Rd., Andover, MA 01810-1008